

JUN 27 2007

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NOTES/COMMENTS:

Subject: U.S. Serial No. 10/690,762; filed October 22, 2003.
Meeting AgendaCONFIDENTIALITY NOTE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Nitzan Peleg et al.	§	
	§	Group Art Unit: 2167
Serial No.: 10/690,762	§	Examiner: Timblin, Robert M.
Filed: October 22, 2003	§	
For: METHOD AND APPARATUS	§	Atty Docket: 200308558-1/BLT/POW
FOR REFRESHING	§	NUHP:0073
MATERIALIZED VIEWS	§	

Examiner Timblin,

As requested, I am submitting a meeting agenda for our meeting scheduled on Friday, June 29, 2007 at 10:00AM. Thank you for taking the time to discuss this with me. The proposed agenda is set forth below:

MEETING AGENDA:

Discuss 35 U.S.C. § 102 Rejection

1. Epoch vs. SCN

An SCN is the timestamp corresponding to when a transaction was committed.

An epoch number changes only when a materialized view is being refreshed.

Our application discloses a log including both an epoch and timestamp (Fig. 2).

2. Refresh operation

Our application relates to a multi-transaction refresh operation. That is, the steps of the refresh operation correspond to iterations of a single refresh operation.

The cited reference merely discloses different invocations of a refresh operation.

3. FIG. 3 of the cited reference

On page 4 of the Office Action, the Examiner indicated that FIG. 3 of the Witowski et al. reference shows a refresh manager. However, this figure merely shows a generic structure of a computer system with nothing to refresh.

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Serial No. 10/690,762

Agenda for Interview with Examiner Timblin

Scheduled June 29, 2007

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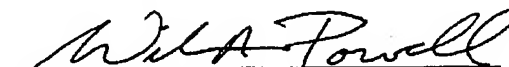
Discuss 35 U.S.C. § 112 Rejection**1. Legal Precedent**

According to M.P.E.P. § 2111.04, the determination of whether the "adapted to" clause is a limitation in a claim depends on the specific facts of the case. For example, in a claim that was directed to a kit of component parts capable of being assembled, the Court held that limitations such as "members *adapted to* be positioned" served to precisely define structural attributes or interrelated component parts of the claimed assembly. *In re Venezia*, 530 F.2d 956, 189 U.S.P.Q. 149 (C.C.P.A. 1976) (emphasis added), *see also* M.P.E.P. § 2173.05(g). Accordingly, Applicants assert that the "adapted to" clauses in the present claims state conditions that are material to patentability and, thus, cannot be ignored. *See Hoffer v. Microsoft Corp.*, 405 F.3d 1326, 1329, 74 U.S.P.Q.2d 1481, 1483 (Fed. Cir. 2005).

Discuss 35 U.S.C. § 101 Rejection

1. Discuss "software per se" when claim is a "system" claim. Discuss potential amendment.

Thank you,

Date: June 27, 2007

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